

### **DETAILED ACTION**

This is to acknowledge the receipt of the "Appeal Brief" filed on 4/20/2010 and the "supplemental Appeal Brief" filed on 5/20/2010. Claims 2 and 5-7 have been cancelled and claims 1, 3, and 4 remain in examination. Claims 1 and 4 are independent claims.

#### ***Status of the Previous Rejection***

Previous rejection for claims 1 and 4 under USC 103 (a) as being unpatentable over Ezawa et al (US 5,252,305, thereafter, US'305) in view of Yamada (JP 2000-248322, thereafter, JP'322) and further in view of Jones et al (US 6,699,302 B1, Thereafter, US'302) is withdrawn in view of the arguments filed on 4/20/2010.

Previous rejection for claim 3 under USC 103 (a) as being unpatentable over US'305 in view of JP'322 and US'302 as applied on claims 1 and 4, and further in view of Yokoyama et al (US 5,735,933, thereafter US'933) is withdrawn in view of the arguments filed on 4/20/2010.

#### ***Allowable Subject Matter***

Claims 1, 3, and 4 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding the independent claims 1 and 4, US'305 teaches a process of recovering a platinum group metal. US'305 teaches charging, melting, enriching the platinum group elements, and separating steps as recited in the instant claims. But US'305 does not specify the ascertaining the copper content of the molten slag by

sampling and analyzing. Although JP'322 and US'305 teach the sampling and analyzing processes, but these recorded arts do not apply the copper content in the molten slag, for example 3.0wt% or less as the critical discharging parameter. The Examiner notes that the data disclosed by the instant specification show the relationship between the platinum group element content in slag (ppm) and the copper content in slag (wt%) (Fig.2 of the instant application), which provides evidence to show that the recovery of PGM directly relates with the copper content in the molten slag.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delay, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on statement of Reason for Allowance".

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jie Yang whose telephone number is 571-2701884. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-2721244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JY

/ Roy King/

Supervisory Patent Examiner, Art Unit 1793